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PART-IIA

GOVERNMENT OF MEGHALAYA ORDERS BY THE GOVERNOR

NOTIFICATIONS

The 15th March, 2012.

No.VET(E)31/2010/23.—In exercise of the power conferred by the proviso to Article 309 of the Constitution of India, the Governor of Meghalaya is pleased to make the following rules to amend the Meghalaya A. H. & Veterinary Service Rules, 2000, namely :-

1. **Short title and amendment.**—These rule may be called the Meghalaya A. H. & Veterinary Service (Second Amendment) Rules, 2012.
2. It shall come into force on the date of issue of this Notification.
3. **Amendment of Rule 21.**—In Rule 21 of the Meghalaya A. H. & Veterinary Service Rules, 2000, hereinafter referred as the Principal Rules, the following proviso is added :-

Provided that the members of the service acquiring additional qualifications while continuing in service will be entitled to advance increments as indicated below :-

- | | | |
|----------------------------------|---|-------------------------------|
| (a) Post Graduate Diploma Holder | - | 1 (one) advance increment. |
| (b) Post Graduate Degree Holder | - | 2 (two) advance increments. |
| (c) Ph. D. Holder | - | 3 (three) advance increments. |

P. NAIK,
Principal Secretary to the Govt. of Meghalaya,
A. H. & Veterinary Department.

The 16th March, 2012.

CORRIGENDUM

No.ERTS(T)85/96/263.—Please read “**₹ 23300-700-27500-830-32480-970-39270/-**” instead of **₹ 23300-700-26800-800-30800-850-35050/-** appearing in this Department’s Notification No.ERTS(T) 85/96/225, dated 16th March, 2010.

Also, please read “**₹ 20,700-620-24420-730-29530-890-36650/-**” instead of **₹ 20700-600-24300-700-27100-820-32020/-**” appearing in this Department’s Notification No.ERTS(T) 85/96/225, dated 16th March, 2010 and No.ERTS(T)85/96/251, dated 5th August, 2011.

J. LYNGDOH,

Commissioner & Secretary to the Government of Meghalaya,
Excise, Registration, Taxation and Stamps Department.

The 22nd February, 2012.

No.UAU.144/2010/20.—The Governor of Meghalaya is pleased to notify the Municipal Accounting Manual as recommended by the Committee headed by the Director, Urban Affairs Department. The Manual shall be implemented in all Municipalities in the State of Meghalaya with immediate.

P. NAIK,

Principal Secretary to the Govt. of Meghalaya,
Urban Affairs Department.

The 20th March, 2012.

No. ERTS (E) 11/98/Pt.I/55.— In supersession of this Department's Notification No. ERTS (E)11/98/Pt.I/35, dated 14th May, 2010 the following category of IMFL brands are reclassified as follows with immediate effect and until further orders:

IMFL

- | | |
|-------------------|---|
| (a) General Brand | The cost price of which is ₹ 386/- per case but does not exceed ₹ 734/- per case. |
| (b) Delux Brand | The cost price of which is ₹ 735/- per case but does not exceed ₹ 1,235/- per case. |
| (c) Premium | The cost price of which is ₹ 1,236/- per case but does not exceed ₹ 3,100/- per case. |
| (d) Super Premium | The cost price of which is ₹ 3,101/- per case and above. |

J. LYNGDOH,

Commissioner and Secretary to the Government of Meghalaya,
Excise, Registration, Taxation and Stamps Department.

The 20th March, 2012.

No. ERTS (E) 11/98/Pt.I/56 - In supersession of this Department's Notification No. ERTS (E) 11/98/Pt.I/40, dated 28th May, 2010 and in exercise of the powers conferred by Section 21 of the Meghalaya Excise Act, (Assam Act No. 1 of 1910 as adapted by Meghalaya) the Governor of Meghalaya is pleased to revise the rates of Excise duty on the following brands of IMFL with immediate effect.

IMFL

- | | |
|-------------------|--|
| (a) General Brand | 75% of the cost price subject to a minimum of ₹ 551/- per case of 12 bottles of 750 ml. or equivalent quantity. |
| (b) Delux Brand | 45% of the cost price subject to a minimum of ₹ 556/- per case of 12 bottles of 750 ml. or equivalent quantity. |
| (c) Premium | 35% of the cost price subject to a minimum of ₹ 900/- per case of 12 bottles of 750 ml. or equivalent quantity. |
| (d) Super Premium | 12.5% of the cost price subject to a minimum of ₹ 1282/- per case of 12 bottles of 750 ml. or equivalent quantity. |

J. LYNGDOH,

Commissioner and Secretary to the Government of Meghalaya,
Excise, Registration, Taxation and Stamps Department.

The 20th March, 2012.

No.POL. 191/2004/Pt-I/135 - In exercise of the spirit of Section 357-A of the Code of Criminal Procedure, 1973 as amended (Act 2 of 1974), the Governor of Meghalaya in co-ordination with the Central Government hereby frames the following scheme for providing funds for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation, namely,-

- | | |
|--|---|
| Short title | <ol style="list-style-type: none"> 1. This scheme may be called the Meghalaya Victim Compensation Scheme,2011. 2. In this scheme, unless the context otherwise requires - <ol style="list-style-type: none"> (a) "Act" means the Code of Criminal Procedure, 1973 (2 of 1974); (b) "Schedule" means Schedule appended to this Scheme; (c) "State" means State of Meghalaya; and (d) "Victim" means a person who has suffered any loss or injury caused by reason of the act or omission for which the accused person has been charged and the expression "victim" includes his or her guardian or legal heir. |
| Victim Compensation Fund | <ol style="list-style-type: none"> 3. (1) There shall be constituted a fund, namely the Victim Compensation Fund from which the compensation under this scheme shall be paid to the victim or his dependents, who have suffered loss or injury as a result of the crime and who require rehabilitation. (2) The State Government shall allot a separate budget for the purpose of the scheme every year. (3) The Fund shall be operated by the Member Secretary, Meghalaya State Legal Services Authority. |
| Eligibility for compensation | <ol style="list-style-type: none"> 4. A victim referred to in the schedule, shall be eligible for the grant of Compensation if. <ol style="list-style-type: none"> (a) the offender is not traced or identified, but the victim is identified, and where no trial takes place, such victim may also apply for grant of compensation under sub section (4) of Section 357- A of the Act; (b) the victim/claimant reports the crime to the Officer-in-Charge of a Police Station or Magistrate or Judicial Magistrate of the area; and (c) the victim/claimant cooperates with the police and prosecution during the investigation and trial of the case. |
| Procedure for Grant of Compensation | <ol style="list-style-type: none"> 5. (1) Whenever a recommendation is made by the Court on an application is made by any victim or his dependent under sub section (2) of Section 357- A of the Act to the District Legal Service Authority, the District Legal Service Authority shall examine the case and verify the contents of the claim with regard to the loss or injury caused to the victim and arising out of the reported criminal activity and may call for any other relevant information necessary in order to determine the genuineness. After verifying the claim following due enquiry, the District Legal Service Authority shall award compensation within two months in accordance with the provisions of this Scheme. <ol style="list-style-type: none"> (2) Compensation under this Scheme shall be paid subject to the Condition that if the trial court while passing judgement at a later date, orders the accused persons to pay any amount by way of compensation under sub-section (3) of Section 357 of the Act, the victim/claimant shall remit an amount ordered equal to the amount of compensation, or the amount ordered to be paid under the said sub-section (3) of Section 357 of the Act, whichever is less. An undertaking to this effect shall be given |

by the victim/claimant before the disbursal of the compensation amount.

(3) The District Legal Service Authority shall decide the quantum of compensation to be awarded to the victim or his dependents on the basis of loss caused to the victim, medical expenses to be incurred on treatment, minimum sustenance amount required for rehabilitation including such incidental charges as Mineral expenses etc. The compensation may vary from case to case depending on the facts of each case.

(4) The quantum of compensation to be awarded under the Scheme shall be disbursed to the victim or his/her dependents, as the case may be, from the Fund.

(5) Compensation received by the victim from the State in relation to the crime in question, namely, *ex-gratia* and or payment received under any other Act or State-run scheme, if any, shall be considered as part of the compensation amount under the scheme and if the eligible compensation amount exceeds the payments received by the victim from collateral sources mentioned above, the balance amount shall be paid out of the Fund.

(6) The cases covered under the Motor Vehicle Act, 1988 (59 of 1988) wherein compensation is to be awarded by the Motor Accident Claims Tribunal, shall not be covered under this Scheme.

(7) The District Legal Services Authority, to alleviate the suffering of the victim, may order for immediate first aid facility or medical benefits to be made available free of cost on the certificate of the police officer not below the rank of the officer-in-charge of the police station or Magistrate of the area concerned or any other interim relief as it may deem fit.

Order to be placed on record. 6. Copy of the order of compensation passed under this Scheme shall be mandatorily placed on record of the trial Court to enable the court to pass order of compensation under sub-section (3) of Section 357 of the Act.

Limitation. 7. No claim made by the victim or his dependents under sub-section (4) of Section 357-A of the Act shall be entertained after a period of six months of the crime :

Provided that the District Legal Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the claim.

Appeal 8. Any victim aggrieved by the denial of compensation by the District Legal Service Authority may file an appeal before the State Legal Authority within a period of ninety days:

Provided that the State Legal Service Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the appeal.

Schedule

[See 2(b) of the Scheme]

| Sl. No. | Particulars of loss or injury | Maximum limit of Compensation |
|---------|---|-------------------------------|
| 1. | Rape | ₹ 50,000/- |
| 2. | Loss or injury causing severe mental agony to women and child victims in cases such as human trafficking, kidnapping etc. | ₹ 25,000/- |

F. KHARLYNGDOH,
Secretary to the Government of Meghalaya,
Political Department.